



# **CITY COUNCIL/ REDEVELOPMENT AGENCY AGENDA**

**City of Westminister  
Regular Meeting  
February 22, 2006**

Notice is given that this meeting may be conducted simultaneously through teleconferencing at two different locations pursuant to Government Code Section 54953(b)(1). A quorum of the City Council/Redevelopment Agency/Financing Authority will be present at the Civic Center location listed below. Council/Agency Member Russell C. Paris will be present at the second location as follows: 15561 Eden Street, Westminister, California, which shall be accessible to the public.

**6:00 p.m. – Council Conference Room  
7:00 p.m. – Council Chambers**

**8200 Westminister Boulevard  
Westminister, California 92683**

**MARGIE L. RICE  
MAYOR**

**FRANK G. FRY  
Mayor Pro Tem**

**KERMIT MARSH  
Council Member**

**RUSSELL C. PARIS  
Council Member**

**ANDY QUACH  
Council Member**

**AMERICANS WITH DISABILITIES ACT:** In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

## GENERAL INFORMATION

### MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the first and third Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

### AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

\* \* \* \* \*

### PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

**To address the City Council/Redevelopment Agency on any matter**, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

### AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

### TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

# **AGENDA**

February 22, 2006

**6:00 P.M.**

## **CLOSED SESSION**

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY  
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

### **CALL TO ORDER:**

### **ROLL CALL**

PRESENT:

ABSENT:

### **CLOSED SESSION:**

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case) re. Sigler Park ADA compliance matter
- 2) Conference with Real Property Negotiators pursuant to Government Code Section 54956.8: Property: 6312 California Avenue; City Negotiators: City Manager Vangie Schock and Director of Public Works/City Engineer Marwan Youssef; Negotiating party: Tina Tran; Under Negotiation: Price and Terms of Payment

### **RECESS:**

# **AGENDA**

February 22, 2006

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

## **RECONVENE CITY COUNCIL/REDEVELOPMENT AGENCY MEETING**

**ROLL CALL:** RICE, FRY, MARSH, PARIS, QUACH

**PRESENT:**

**ABSENT:**

**SALUTE TO FLAG:** Council Member Marsh

**INVOCATION:**

## **REPORT OUT OF CLOSED SESSION:**

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B).

## **SPECIAL PRESENTATIONS:**

- A. Presentation of Resolution commemorating the passing of Mr. Hien Nguyen
- B. Presentation by Beckie Welty, Orange County Human Relations, of their Annual Report and Certificate of Recognition to the City
- C. Presentation of MADD Awards to Westminster Police Officers Paul Walker and Claudia Fletes

# **AGENDA**

February 22, 2006

## **1. CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

### **APPROVAL OF MINUTES**

- 1.1 (City Council/Redevelopment Agency) Minutes of the Adjourned Regular Meeting of the City Council/Redevelopment Agency of February 6, 2006 (Marian Contreras)**

RECOMMENDATION: Approve.

### **ROUTINE MATTERS**

- 1.2 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.3 State of the City Luncheon (Tami Piscotty)**

RECOMMENDATION: Staff recommends that the Mayor and City Council receive and file the report on the State of the City Luncheon.

### **ORDINANCES (SECOND READING)/RESOLUTIONS**

- 1.4 Resolution No. 3975 – A Resolution of the Mayor and City Council of the City of Westminster Authorizing Applications for Funds for the Transportation Enhancement Activity (TEA) Program Under the 1998 Transportation Equity Act for the 21<sup>st</sup> Century for Westminster Boulevard and Bolsa Avenue Master Planned Streetscape Improvements Project (Fiscal Years 2007/08 and 2008/09) (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 3975 which authorizes staff to file three TEA applications for the Westminster Boulevard and Bolsa Avenue Master Planned Streetscape Improvements Project, and waive further reading.

# **AGENDA**

February 22, 2006

## **1. CONSENT CALENDAR (Continued)**

### **WARRANT REGISTER**

#### **1.5 (City Council/Redevelopment Agency) Warrant Register dated February 1 through 14, 2006 (Paul Espinoza)**

RECOMMENDATION: Approve.

### **INFORMATION AND REPORTS**

#### **1.6 Community Development Department – Monthly Activity Report – January, 2006**

RECOMMENDATION: Receive and file.

#### **1.7 Minutes of the Planning Commission meeting held on January 18, 2006**

RECOMMENDATION: Receive and file.

### **END OF CONSENT CALENDAR**

\* \* \* \* \*

## **2. ORAL COMMUNICATIONS**

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

## **3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW**

#### **3.1 The actions of the Planning Commission meeting held on February 15, 2006**

RECOMMENDATION: Staff recommends that the Mayor and City Council determine if they wish to call up any item(s) for review from the Planning Commission meeting of February 15, 2006.

- 1) Case 2005-64 at 8201 Westminster Boulevard. A proposal to construct an 8,042-square-foot, two-story commercial/office building.

# AGENDA

February 22, 2006

## 4. PUBLIC HEARINGS

**ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS:** After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

**NOTE:** If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

### 4.1 **ADOPTION OF NEGATIVE DECLARATION AND CASE NO. 2006-09, AMENDMENT OF THE CITY'S PARK DEDICATION REQUIREMENTS** (Don Anderson)

Time set for a public hearing to consider a proposed negative declaration and ordinance to amend sections of Chapter 16.12 (Dedication for Park or Recreation Purposes) of Title 16 (Subdivisions) of the Westminster Municipal Code and establish a new modified formula to determine the amount of on-site open space that may be credited against the dedication requirement for park and recreational purposes associated with residential subdivisions.

**STAFF RECOMMENDATION:** Staff recommends that the Mayor and City Council postpone this hearing to a later date as the Planning Commission has not yet taken final action on the matter.

## 5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

### 5.1 **Council/Agency Member Items**

### 5.2 **Consider Request to Rename Moran Street from Bishop Street to 14771 Moran Street (the location of *Nguoi Viet Daily News*) to Yen Do Street** (Mayor Pro Tem Fry)

**RECOMMENDATION:** That the Mayor and City Council provide direction to staff.

# AGENDA

February 22, 2006

## 6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

### 6.1 Civic Center Pay Parking System (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the Civic Center Pay Parking System Policy;
- 2) Adopt Urgency Ordinance No. 2397 entitled, "An Urgency Ordinance of the Mayor and City Council of the City of Westminster Establishing a Pay Parking System", and waive further reading;
- 3) Introduce Ordinance No. 2398 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster Establishing a Pay Parking System", and waive further reading;
- 4) Adopt Resolution No. 3976 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Adopting Parking Rates and Hours of Operation", and waive further reading; and
- 5) Adopt Resolution No. 3977 entitled, "A Resolution of the Mayor and City Council of the City of Westminster Establishing Fines for Pay Station Violations", and waive further reading.

### 6.2 Third Amendment to Consulting Services Agreement with Willdan to provide temporary Planning staff services (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve the Third Amendment to the Consulting Services Agreement with Willdan for an increase of \$30,240 and a total amount not to exceed \$115,240, and authorize the City Manager to execute the amendment on behalf of the City.

### 6.3 Select date and time for a study session to discuss the design and financing of the potential new police facility.

RECOMMENDATION: Staff recommends that the Mayor and City Council select a date and time for a study session.

## 7. WRITTEN COMMUNICATIONS (Public) – None



# AGENDA

February 22, 2006

## 8. LEGISLATIVE ITEMS

- 8.1 Resolution No. 3978 – A Resolution of the Mayor and City Council of the City of Westminster Declaring Its Intention to Convey Certain City-Owned Real Property Located at 7101 Wyoming Street (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Resolution No. 3978, which sets a public hearing to be held on March 8, 2006 on this matter, and waive further reading.

## 9. COMMISSION AND COMMITTEE ITEMS – None

## 10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.

  
Marian Contreras, City Clerk/Agency Secretary